



DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

May 19, 2015

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

COUNTY OF LOS ANGELES

FIRE DEPARTMENT


1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 881-2401

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

53

June 2, 2015


PATRICK OGAWA
ACTING EXECUTIVE OFFICER

**AUTHORIZE THE PURCHASING AGENT TO ISSUE A SOLE SOURCE PURCHASE ORDER FOR
RADIO MAINTENANCE SERVICES
(ALL DISTRICTS) (3 VOTES)**

SUBJECT

The Consolidated Fire Protection District of Los Angeles County (District) is requesting approval to authorize the Director of the Internal Services Department (ISD), as the County's Purchasing Agent, to issue a sole source purchase order to Motorola Solutions, Inc. (Motorola) for continued radio maintenance services for the District's XTS 5000R portable radios.

**IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE
CONSOLIDATED FIRE PROTECTION DISTRICT OF LOS ANGELES COUNTY:**

Authorize the Director of the ISD, as the County's Purchasing Agent, to issue a sole source purchase order to Motorola for continued radio maintenance services.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The recommended action will provide for the issuance of a sole source purchase order contract with Motorola to maintain a secure continuum of radio maintenance services for the 4,000 plus XTS 5000R portable radios utilized by the District's firefighter personnel. The District relies on XTS 5000R portable radios for most of its communication with first responders and will continue utilizing these radios until new radios are purchased, which are anticipated to be purchased by Fiscal Year (FY) 2019-20. The radio maintenance services must be continued to ensure the radios are operable, functional, and meet the District's operational requirements.

The District's proceeded with negotiations for a sole source service contract with Motorola as requested in the District's December 1, 2014, Board memo (Attachment B); however, negotiations are still on-going. The new service contract is anticipated to start no later than September 2015. However, due to negotiation challenges, the District will be setting up a one-year purchase order not to exceed \$200,000 in order to continue radio maintenance services during a potentially busy fire season. It is imperative that the recommended action is approved to bridge the gap between purchase order agreement period and the new service contract period to ensure radio services are uninterrupted.

Implementation of Strategic Plan Goals

The recommended action supports the County's Strategic Plan, Goal 3, Integrated Services Delivery, by ensuring that all Motorola XTS 5000R radios are secure and fully operable to safeguard the firefighter personnel; by assisting them in performing their duties in a reliable and secure manner; and, by increasing the safety and security of all residents in Los Angeles County through the comprehensive integration of public safety communication systems in a cost-effective manner.

FISCAL IMPACT/FINANCING

The District's FY 2014-15 Final Adopted and FY 2015-16 Recommended Budgets include sufficient funding for this purchase. There is no impact to net County cost.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The associated cost for acquisition of the radio maintenance services exceeds the statutory authority of the County's Purchasing Agent; therefore, Board approval is required to proceed.

ENVIRONMENTAL DOCUMENTATION

This service is statutorily exempt from the California Environment Quality Act (CEQA) pursuant to Section 16031 (b)(3) of the CEQA guidelines. The activities of this service will not have a significant effect on the environment.

CONTRACTING PROCESS

On August 22, 2014, the Chief Executive Office approved the District's sole source request (Attachment A) based on Motorola's propriety rights to its Firmware, the short learning curve to establish District specifications for radios that need to be re-programmed, and the administrative cost savings benefits.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

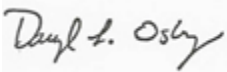
Approval of this action will ensure that District's XTS 5000R portable radios are fully operable and in adherence to the District's specifications. This service will ensure that any upgrades required to standardize the communication platform will be available. Without this service, the ability of District firefighters to perform their day-to-day duties and the ability of fire dispatchers to assist firefighters during critical incidents will be severely impacted. A delay in providing radio maintenance could

result in higher risk exposure to personnel injuries and increased workers' compensations costs, in addition to a decrease in the quality of service provided to the constituents of Los Angeles County.

CONCLUSION

Upon Board approval, please return a copy of the adopted letter to the Department's Special Services Bureau, Deputy Fire Chief Angel Montoya, at Angel.Montoya@fire.lacounty.gov.

Respectfully submitted,

A handwritten signature in cursive script, reading "Daryl L. Osby".

DARYL L. OSBY

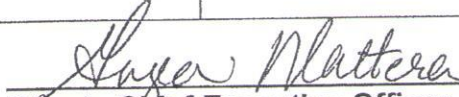
FIRE CHIEF, FORESTER & FIRE WARDEN

DLO:mw

Enclosures

c: Interim Chief Executive Officer
Acting Executive Officer, Board of Supervisors
County Counsel
Internal Services Department

SOLE SOURCE CHECKLIST

Check (✓)	JUSTIFICATION FOR SOLE SOURCE CONTRACTS <i>Identify applicable justification and provide documentation for each checked item.</i>
✓	➤ Only one bona fide source for the service exists; performance and price competition are not available. Proprietary letter from the vendor on the vendor's letterhead is attached.
	➤ Quick action is required (emergency situation).
	➤ Proposals have been solicited but no satisfactory proposals were received.
	➤ Additional services are needed to complete an ongoing task and it would be prohibitively costly in time and money to seek a new service provider.
	➤ Maintenance service agreements exist on equipment which must be serviced by the authorized manufacturer's service representatives.
	➤ It is more cost-effective to obtain services by exercising an option under an existing contract.
✓	➤ It is in the best interest of the County, e.g., administrative cost savings, excessive learning curve for a new service provider, etc. It is in the best interest of the County and for public safety to continue receiving repair services for XTS 5000R water-proof radios from the current vendor Motorola as it is cost effective, while ensuring the radios meet manufacturer, industry, and FCC standards, and District's requirements.
	➤ Other reason. Please explain:
<div style="display: flex; justify-content: space-between;"> <div data-bbox="162 1480 690 1606">  Deputy Chief Executive Officer, CEO </div> <div data-bbox="990 1501 1193 1596"> <div style="text-align: center;">8/22/17</div> Date </div> </div>	



Motorola Solutions, Inc.
6450 Sequence Drive
San Diego, CA 92121
August 11, 2014

Los Angeles County Fire Dept Materials Management
5801 South Eastern Ave, Commerce, CA 90040
Attn. Pudjiwati Aliwarga

RE: Sole Source Letter

In 2006, the Los Angeles County Fire Department (LACoFD), known as the Consolidated Fire Protection District of Los Angeles County (District), purchased 3,850 Motorola XTS 5000R water-proof portable handheld radios through the Internal Services Department's purchasing order. This purchase included a two-year warranty at no cost to the District, and an additional five-year service agreement. Throughout this seven year period, additional radios were purchased and added to the warranty and service agreement for a new inventory total of 4,150. This service agreement is to repair radios to meet manufacture specifications including Factory Mutual (FM) and/or Mine Hazard Safety Association (MHSA).

Under industry and Federal Communications Commission guidelines for standardization, licensing and certification, all radio repair services must adhere to its applicable guidelines. The Motorola XTS 5000R (water-proof radios) Service Agreement mandates that repair services are rendered by FM certified technicians. Certifications are issued by Factory Mutual (FM), which is a third-party entity that issues the FM Certification. Of the three authorized Motorola repair facilities (Local Authorized Dealers, Local Service Providers, and the Motorola Factory Direct Repair Depots) only the Motorola Factory Direct Repair Depots are FM Certified. While Motorola's competitors are eligible to obtain FM Certification, their repair service would be prohibitive because of the Proprietary Firmware in the Motorola radios. Only Motorola Factory Direct Repair Depots have the FM certification and access to the Proprietary Firmware. Any repair submitted to our service competitors are then shipped to Motorola for repair as they do not have access to this Firmware.

The additional services that come with the Motorola warranty support agreements when they are purchased from a Factory Direct Representative are as follows:

- Fleet Maintenance service, support and coordination from a **Motorola Customer Support Manager (CSM)** located in the Los Angeles area. The CSM will be the interface between LACoFD and Motorola for any service delivery issues, administrative issues and will track assist LACoFD with their inventory for contract renewals proposes.
- Technical service, support and coordination from an authorized Motorola **Service Partner** located in Los Angeles area. Local field assistance with **Service Release Notes (SRN)** – Bulletins from the Motorola Product Group on solutions to issues that are systemic in a radio (with guidance from Motorola).
- Engineering and technical service, support and coordination from a **Motorola System Technologist (ST)** located in the Los Angeles region. Additional layer of Local field assistance with **Service Release Notes (SRN)** – Bulletins from the Motorola Product Group on solutions to issues that are systemic in a radio. In the event that local support on the XTS5000R radios is needed by LACoFD, Motorola's Field STs will provide additional guidance on solutions to LACoFD.

These local factory trained and certified specialists are only available to LACoFD when the warranty support agreement is purchased directly from a Motorola Solutions, Inc Representative.

If you have any questions, please do not hesitate to contact me at (909) 466-7904.

Sincerely,

Gil Smith
Customer Support Manager
Motorola Solutions, Inc.



Motorola Solutions, Inc.
6450 Sequence Drive
San Diego, CA 92121

March 17, 2015

Los Angeles County Fire Dept Materials Management
5801 South Eastern Ave, Commerce, CA 90040
Attn: Pudjiwati Aliwarga

RE: Sole Source Letter

Los Angeles County Fire Department's (LACoFD) fleet of Motorola XTS5000 portable handheld radios were purchased with a 7 Year Warranty. The 7 year warranty expired on March 31, 2014. The previous 6 month warranty extension expired on December 31, 2014. Motorola Solutions is offering LACoFD a 6 month warranty extension effective April 1, 2015 to September 30, 2015. This extension is being offered while the County processes a one (1) year warranty support agreement (with optional years upon request). This warranty support agreement carries the same coverage as the original warranty. This warranty support agreement will assure that your radios will be repaired to factory specifications.

Because of the Proprietary Firmware in the Motorola Radios, only authorized repair facilities (Motorola Dealers, Service Providers and Motorola Factory Direct Repair Depots) are able to provide service under Motorola Warranty and Motorola Support Agreements. Motorola's Local Authorized Dealers and Service Providers are not Factory Mutual Certified (FM) to work on LACoFD's XTS5000 Water Proof radios. The cost of this certification and the annual renewal process has made this option to service these radios cost and resource prohibitive for our Motorola's Local Dealers and Authorized Local Service Providers. FM Certification is done by a third party company. Competitor Service Companies can be FM Certified, but since they are not Authorized Motorola Dealers and/or Motorola Service Providers, they are not authorized to repair the Motorola XTS5000 Water Proof radios. If any Competitor repairs or attempts to repair these Motorola XTS5000 Water Proof radios, any and all Motorola warranties and support agreements on these radios would be voided.

The additional services that come with the Motorola warranty support agreements when they are purchased from a Factory Direct Representative are as follows:

- Fleet Maintenance service, support and coordination from a **Motorola Customer Support Manager** located in the Los Angeles area.
- Technical service, support and coordination from an authorized Motorola **Service Partner** located in Los Angeles area.
- Engineering and technical service, support and coordination from a **Motorola System Technologist** located in the Los Angeles region.

These local factory trained and certified specialists are only available to LACoFD when the warranty support agreement is purchased directly from a Motorola Solutions, Inc Representative.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads 'Gil Smith'.

Gil Smith
Customer Support Manager
Motorola Solutions, Inc.

(909) 466-7904 - Office
(909) 772-6442 - Cell
(909) 945-5509 - Fax



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

December 1, 2014

TO: EACH SUPERVISOR

FROM: DARYL L. OSBY, FIRE CHIEF *DLO*

REQUEST TO PROCEED WITH NEGOTIATIONS FOR A SOLE SOURCE CONTRACT WITH MOTOROLA SOLUTIONS, INC., FOR RADIO REPAIR SERVICES

This memo provides advance notification to your Honorable Board that the Consolidated Fire Protection District of Los Angeles County (District) intends to enter into negotiations for a sole source contract with Motorola Solutions, Inc. (Motorola) for radio repair services of over 4,000 XTS 5000R radios.

Currently, the radio repair services are obtained through purchase orders. The anticipated cost for these services are expected to exceed the \$100,000 Purchase Order limit and can no longer be procured through the Purchase Order process per Government Code 25502.5, therefore the District is required to pursue these services through a contract.

The Chief Executive Office approved moving forward with the sole source negotiation process based upon Motorola's proprietary rights to its Firmware and the cost-effectiveness of the proposed contract. The proposed contract shall be for a period of three (3) years, and contain a sole and exclusive option for the District to extend the contract term for three (3) one-year periods and an additional twelve (12) month-to-month periods, for a maximum contact term of seven (7) years, if all options are exercised.

Motorola no longer manufactures the XTS 5000R radios and will no longer provide the repair services after the end of the maximum contract term. The District anticipates the purchasing of new radios will be completed prior to the end of the maximum contract term; therefore, a seven (7) year maximum contract term is being negotiated to save on the administrative costs of renegotiating.

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS
ARTESIA
AZUSA
BALDWIN PARK
BELL
BELL GARDENS
BELLFLOWER
BRADBURY

CALABASAS
CARSON
CERRITOS
CLAREMONT
COMMERCE
COVINA
CUDAHY

DIAMOND BAR
DUARTE
EL MONTE
GARDENA
GLENORA
HAWAIIAN GARDENS
HAWTHORNE

HIDDEN HILLS
HUNTINGTON PARK
INDUSTRY
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LA CANADA FLINTRIDGE
LA HABRA

LA MIRADA
LA PUENTE
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LAWNDALE
LOMITA
LYNWOOD

MALIBU
MAYWOOD
NORWALK
PALMDALE
PALOS VERDES ESTATES
PARAMOUNT
PICO RIVERA

POMONA
RANCHO PALOS VERDES
ROLLING HILLS
ROLLING HILLS ESTATES
ROSEMEAD
SAN DIMAS
SANTA CLARITA

SIGNAL HILL
SOUTH EL MONTE
SOUTH GATE
TEMPLE CITY
WALNUT
WEST HOLLYWOOD
WESTLAKE VILLAGE
WHITTIER

Each Supervisor
December 1, 2014
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Per the requirements for sole source contracts of \$250,000 or greater, the District will proceed with negotiating the contract within two (2) weeks unless otherwise instructed by your Board.

If you have any questions, contact me at (323) 881-6180, or your staff may contact Acting Deputy Chief Theresa R. Barrera at (323) 881-2426.

DLO:mw

c: Brence Culp
Georgia Mattera
Each Board Deputy